

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
- vs -	)	
	)	
ZACARIAS MOUSSAOUI,	)	Criminal No. 01-455-A
	)	
Defendant,	)	
	)	
GANNETT SATELLITE INFORMATION	)	
NETWORK, INC.	)	
	)	
Movant-Intervenor.	)	

**MOTION OF GANNETT SATELLITE INFORMATION NETWORK, INC.  
TO INTERVENE FOR THE LIMITED PURPOSE OF  
OPPOSING THE GOVERNMENT'S MOTION FOR PROTECTIVE ORDER  
REGARDING COCKPIT VOICE RECORDERS**

Gannett Satellite Information Network Inc. moves this Honorable Court to intervene in this proceeding for the limited purpose of opposing the Government's motion (Docket No. 399) for a protective order regarding its anticipated use of cockpit voice recorders.

For its brief in support of this motion to intervene, movant respectfully states:

1. This is a criminal prosecution of great public interest.
2. Movant publishes USA Today, a newspaper of general circulation distributed throughout the United States.
3. USA Today has published news articles about this criminal prosecution and (particularly after the government allowed family members of the victims of Flight 93 to hear them) about the cockpit voice recordings which are the subject of the government's motion.

4. USA Today intends to cover this trial and to disseminate information concerning all aspects of the trial to the readers of the USA Today newspaper and readers of its internet website, [usatoday.com](http://usatoday.com).

5. As this Court recognized in its earlier Order in this case (Docket No. 17), news organizations have a right to be heard on issues relating to their access, on behalf of themselves and the public, to this proceeding. Accord, In re Washington Post Co., 807 F.2d 383, 390 (4<sup>th</sup> Cir. 1986); In re Knight Publishing Co., 743 F.2d 231, 234 (4<sup>th</sup> Cir. 1984).

6. Movant seeks to intervene solely for the purpose of submitting the annexed Brief of Gannett Satellite Information Network, Inc. Opposing the Government's Motion for Protective Order Regarding Cockpit Voice Recorders. Movant does not seek oral argument. Accordingly, granting this motion will neither disrupt nor delay the proceedings in this case.

WHEREFORE, Gannett Satellite Information Network, Inc. respectfully requests that the Court grant its motion to intervene, and accept for filing the annexed Brief opposing the Government's motion (Docket No. 399) for a protective order regarding its anticipated use of cockpit voice recorders.

Dated: August 19, 2002

Respectfully submitted,

NIXON PEABODY LLP

By: \_\_\_\_\_ /s/

Robert C. Bernius

(Not Admitted in Virginia)

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## **CERTIFICATE OF SERVICE**

I, Leslie P. Arrington, hereby certify that on this 19th day of August, 2002, I caused to be served true and correct copies of the foregoing Motion to Intervene by hand delivery or by fax and first class U.S. Mail, postage pre-paid, as indicated below, on the following:

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